

REMARKS/ARGUMENTS

After the foregoing amendment, Claims 25-33 are active in the present application. Claims 25, 28 and 31 have been amended. The amendment further clarifies the structure of the claimed invention. Reconsideration of the present application is respectfully requested in view of the amendments and following remarks.

The Examiner has objected to Claims 25-33 because the limitation "the surface" in Claims 25 and 33 lack antecedent basis. Claims 25 and 33 have been amended to recite "top surfaces" for this limitation. Accordingly, Applicants submit that the objection has been overcome.

Claims 25-33 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Okumura (U.S. Patent No. 4,984,055). Applicant respectfully traverses this rejection.

The Examiner asserts that a layer (13, 14) disclosed by Okumura covers the surface (top surface) of an interlayer insulating film (12) and the surface (bottom and side surfaces) of a wiring (16). The claims, as amended, require "a passivation film covering *top surfaces* of the interlayer insulating film and the wirings" (emphasis added). In contrast, Okumura et al. does not disclose a passivation film covering the top surface of the wiring and insulating and protecting the wiring. Accordingly, Applicant submits that Claims 25-33 are allowable over the cited reference.

Furthermore, Claim 25 has been amended to require that a modified spin-on-glass (SOG) film contains boron impurity and is in condition where an organic component is decomposed. Similarly, Claim 31 has been amended to require that a modified SOG film contains boron impurity and inorganic component. Applicant submits that these amendments provide structural limitations. Accordingly, Applicant submits that the claims are allowable over the cited reference.

Claims 25-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano (Japan Pat. No. 6-291202) in view of Okumura. Applicant submits that the claims are patentable over the cited references.

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Nakano discloses a first SOG film (15) containing phosphorous and boron, and a second SOG film (16) arranged on the first SOG film for preventing the first SOG film from swelling due to the phosphorous in the first SOG film reacting with moisture in the atmosphere. The present invention, as claimed, requires "wirings located on the interlayer insulating film; and a passivation film covering top surfaces of the interlayer insulating film and the wirings, including a first insulating film that is a modified Spin-on-Glass (SOG) film." Applicant submits that none of the references, alone or in combination, teach or suggest a passivation film covering the top surfaces of wirings and an interlayer insulating film. Accordingly, Applicant submits that the claims are allowable over the cited references.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,
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